

EXHIBIT B

Paul O. Woodall

From: Dennis R. Bailey [DRB@rsjg.com]
Sent: Thursday, October 27, 2005 10:51 AM
To: Paul O. Woodall
Cc: Jeff Blitz
Subject: RE: status of Shoneys/MacEast
Importance: High

Paul:

Given the current rental climate my client is very concerned that it will not be able to rent the space in the short term. Obviously, given the terms of the City Diner Cafe lease, it will not take long to project a direct loss of more than \$75,000. Accordingly, at the present time we do intend to seek damages in excess of \$75,000 and will not object to removal on that basis.

**PARAGRAPH INTENTIONALLY DELETED
BY MUTUAL CONSENT OF COUNSEL**

(Note: New Fax Number Effective 9/15/2005)

Dennis R. Bailey
Rushton, Stakely, Johnston & Garrett, P.A.
Montgomery, Alabama
(334) 206-3234: Voice
(334) 481-0031: Fax

-----Original Message-----

From: Paul O. Woodall [mailto:pwoodall@walstonwells.com]
Sent: Wednesday, October 26, 2005 5:26 PM
To: Dennis R. Bailey
Cc: James N. Nolan; Alan M. Warfield
Subject: RE: status of Shoneys/MacEast

Dennis:

If you will respond in writing (email is fine) that your client is not seeking damages in excess of \$74,000 (for all types of damages, including punitive and attorneys' fees), we will refrain from filing a notice of removal in this case. Please confirm by noon tomorrow. Thank you for your prompt attention to this matter.

Regards,

Paul O. Woodall, Jr.
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10/27/2005